

REMARKS**Summary**

Claims 1-26 are currently pending in the application. Claims 1-26 were rejected under 35 USC 102. No new matter has been added.

35 USC 102 Rejection

Claims 1-26 were rejected under 35 USC 102 as being anticipated by Karpinski, "Mail Room Mainstay Tracks Packs," Internetweek, October 21, 1997 (hereinafter Karpinski). Applicants respectfully request that the 35 USC 102 rejection be withdrawn. The reasons for the requests are as follows, firstly, Karpinski is not an enabling disclosure, and secondly, Karpinski does not teach each and every element of the claimed invention. Both lines of reasoning are discussed below.

Non-enabling Disclosure

Karpinski is not an enabling disclosure. A referenced applied under 35 USC 102 as anticipating is required to be enabling. Case law is clear that "[w] here we are testing novelty [anticipation] under 35 USC 102(b) we look to the prior art for the purpose of showing the invention was already known. The law requires that the whole invention be found in a single reference. . . . We see the enabling disclosure requirement . . . as a device for assuring that the invention in fact is to be found in the prior art. Minnesota Mining & Mfg Co., V. Blume, 215 U.S.P.Q. (BNA) 585, 590 (6th Cir. 1982). The proper test of a description in a publication as a bar to a patent as the clause is used in section 102(b) requires a determination of whether one skilled in the art to which the invention pertains could take the description of the invention in the printed publication and combine it with his own knowledge of the particular art

(10005574.1)

4 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A

and from this combination be put in possession of the invention on which a patent is sought. Unless this condition prevails, the description in the printed publication is inadequate as a statutory bar to patentability under section 102(b). In re Sasse, 207 USPQ 107, _____ (CCPA 1980). Karpinski is merely a new article discussing a package tracking system. Applicants respectfully submit that Karpinski is not an enabling disclosure and therefore does not meet the requirements of 102(b) prior art.

Each And Every Element Of The Claimed Invention

Even assuming arguendo that Karpinski is an enabling disclosure, Karpinski does not teach or suggest each and every element of the claimed invention.

Claim 1

As per claim 1, Karpinski does not teach or suggest the following elements of claim 1:

means for generating a tracking number associated with a package to be sent from the user to the recipient by a selected carrier; means for generating a tracking request containing the tracking number associated with the package, as well as information of the particular carrier which is to deliver the package to the recipients; queues for storing the tracking requests; a tracking coordinator for receipt of said tracking request and for generating tracking objects and sending said tracking objects to the tracking website of the selected carrier; means for receiving results from the tracking website of the selected carrier; and means for updating the shipping server data storage with the results from the carrier website.

Since Karpinski fails to teach or suggest each and every element of claim 1, Applicants respectfully request that the 35 USC 102 rejection of claim 1 be withdrawn.

{10005574.1}

5 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from < 203 924 3919 > at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

Claims 2-14

Since claims 2-14 depend directly or indirectly from independent claim 1, based upon the reasons set forth above regarding claim 1, Karpinski fails to teach or suggest each and every element of claims 2-14 and Applicants respectfully request that the 35 USC 102 rejection of claims 2-14 be withdrawn.

Claim 2

Regarding claim 2, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 1, further comprising a tracking result queue for receiving the results from all of the carrier websites and for outputting these results for delivery to the shipping system server data storage device." Nowhere in Karpinski is there any mention of **a tracking result queue for receiving results . . and outputting these results.**" (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 2, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 3

Regarding claim 3, for the reasons given above with respect to claim 2, Karpinski does not teach or suggest each and every element of claim 3. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 2, wherein the shipping system server has an instant tracking component for allowing a user to generate a tracking request for a package, wherein the tracking coordinator has means for generating a tracking object for the user tracking request that is prioritized with respect to other tracking objects generated for the same carrier as that associated with the user's package. Nowhere in Karpinski is there any mention of **"the shipping system server has an instant tracking component . . . generating a tracking object . . . that is prioritized with respect to other tracking objects generated for the same carrier."** (emphasis added).

{10005674.1}

6 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A

Since Karpinski does not teach or suggest each and every element of claim 3, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 4

Regarding claim 4, for the reasons given above with respect to claim 3, Karpinski does not teach or suggest each and every element of claim 4. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 3, wherein the tracking coordinator limits the generation of tracking objects for a particular carrier so as to be generated no more frequently than a predetermined number of tracking objects per predetermined time interval." Nowhere in Karpinski is there any mention of "wherein the tracking coordinator limits the generation of tracking objects for a particular carrier . . . no more frequently than a predetermined number." (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 4, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 5

Regarding claim 5, for the reasons given above with respect to claim 3, Karpinski does not teach or suggest each and every element of claim 5. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 3, wherein the tracking coordinator limits the generation of tracking objects so that the total number of tracking objects generated for a particular carrier over a predetermined time interval does not exceed a predetermined number, regarding the pacing of the generation of said tracking objects." Nowhere in Karpinski is there any mention of "tracking coordinator limits the generation of tracking objects . . .not exceed a predetermined number, regarding the pacing of the generation of said tracking objects." (emphasis added). Since Karpinski does not teach or suggest each and every

[10005674.1]

7 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from < 203 924 3919 > at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

element of claim 5, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 6

Regarding claim 6, for the reasons given above with respect to claim 3, Karpinski does not teach or suggest each and every element of claim 6. Additionally, Karpinski does not teach or suggest “[a] tracking system for a shipping system as defined in claim 3, wherein the tracking coordinator has means for generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses.” Nowhere in Karpinski is there any mention of “means for generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses.” (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 6, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 7

Regarding claim 7, for the reasons given above with respect to claim 3, Karpinski does not teach or suggest each and every element of claim 7. Additionally, Karpinski does not teach or suggest “[a] tracking system for a shipping system as defined in claim 3, wherein the shipping system server includes a scheduler for automatically retrieving information required to generate a tracking request from the data storage device, wherein the scheduler times said retrieval of information to occur at a predetermined time.” Nowhere in Karpinski is there any mention of **shipping system server includes a scheduler for automatically retrieving information . . . wherein the scheduler times said retrieval of information to occur at a predetermined time.**” (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 7, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

{0005574.1}

8 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A

Claim 8

Regarding claim 8, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 1, wherein the shipping system server has an instant tracking component for allowing a user to generate a tracking request for a package, wherein the tracking coordinator has means for generating a tracking object for the user tracking request that is prioritized with respect to other tracking objects generated for the same carrier as that associated with the user's package." Nowhere in Karpinski is there any mention of **"an instant tracking component . . . means for generating a tracking object . . . prioritized with respect to other tracking objects generated for the same carrier as that associated with the user's package."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 8, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 9

Regarding claim 9, for the reasons given above with respect to claim 8, Karpinski does not teach or suggest each and every element of claim 9. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 8, wherein the tracking coordinator limits the generation of tracking objects for a particular carrier so as to be generated no more frequently than a predetermined number per predetermined time interval." Nowhere in Karpinski is there any mention of **"the tracking coordinator limits the generation of tracking objects for a particular carrier so as to be generated no more frequently than a predetermined number per predetermined time interval."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 9, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

{0005574.1}

9 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from <203 924 3919> at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

Claim 10

Regarding claim 10, for the reasons given above with respect to claim 9, Karpinski does not teach or suggest each and every element of claim 10. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 9, wherein the tracking coordinator limits the generation of tracking objects so that the total number generated for a particular carrier over a predetermined time interval does not exceed a predetermined number, regarding the pacing of the generation of said tracking components." Nowhere in Karpinski is there any mention of **"the tracking coordinator limits the generation of tracking objects so that the total number generated . . . not exceed a predetermined number, regarding the pacing of the generation of said tracking components."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 10, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 11

Regarding claim 11, for the reasons given above with respect to claim 8, Karpinski does not teach or suggest each and every element of claim 11. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 8, wherein the tracking coordinator has means for generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses." Nowhere in Karpinski is there any mention of **"the tracking coordinator has means for generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 11, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

{0005974.1}

10 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from < 203 924 3919 > at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

Claim 12

Regarding claim 12, for the reasons given above with respect to claim 8, Karpinski does not teach or suggest each and every element of claim 12. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 8, wherein the shipping system server includes a scheduler for automatically retrieving information required to generate a tracking request from the data storage device, wherein the scheduler times said retrieval of information to occur at a predetermined time." Nowhere in Karpinski is there any mention of **"the shipping system server includes a scheduler for automatically retrieving information . . . wherein the scheduler times said retrieval of information to occur at a predetermined time."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 12, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 13

Regarding claim 13, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 1, further comprising an E-mail services component for generating an E-mail message to a party specified by the user when the tracking information indicates that the package has been delivered to the recipient." Nowhere in Karpinski is there any mention of **"an E-mail services component for generating an E-mail message . . . when the tracking information indicates that the package has been delivered to the recipient"** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 13, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

[10005574.1]

11 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from <203 924 3919> at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

Claim 14

Regarding claim 14, for the reasons given above with respect to claim 8, Karpinski does not teach or suggest each and every element of claim 14. Additionally, Karpinski does not teach or suggest "[a] tracking system for a shipping system as defined in claim 8, further comprising an E-mail services component for generating an E-mail message to a party specified by the user when the tracking information indicates that the package has been delivered to the recipient." Nowhere in Karpinski is there any mention of **"an E-mail services component for generating an E-mail message. . . when the tracking information indicates that the package has been delivered to the recipient."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 14, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 15

As per claim 15, Karpinski does not teach or suggest the following steps of claim 15:

(a) generating a tracking number associated with a package to be sent from the user to the recipient by a selected carrier; (b) generating a tracking request containing the tracking number associated with the package, as well as information of the particular carrier which is to deliver the package to the recipients; (c) storing the tracking requests; (d) generating tracking objects and sending said tracking objects to the tracking website of the selected carrier; (e) receiving results from the tracking website of the selected carrier; and (f) updating the shipping server data storage with the results from the carrier website.

Since Karpinski fails to teach or suggest each and every element of claim 15, Applicants respectfully request that the 35 USC 102 rejection of claim 15 be withdrawn.

{10005574.1 }

12 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from <203 924 3919> at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

Claims 16-26

Since claims 16-26 depend directly or indirectly from independent claim 15, based upon the reasons set forth above regarding claim 15, Karpinski fails to teach or suggest each and every element of claims 16-26 and Applicants respectfully request that the 35 USC 102 rejection of claims 16-26 be withdrawn.

Claim 16

Regarding claim 16, Karpinski does not teach or suggest "[a] tracking method as defined in claim 15, further comprising the step of receiving the results from all of the carrier websites and for outputting these results for delivery to the shipping system server data storage device." Nowhere in Karpinski is there any mention of **"receiving the results from all of the carrier websites . . . outputting these results for delivery to the shipping system server data storage device."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 16, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 17

Regarding claim 17, for the reasons given above with respect to claim 16, Karpinski does not teach or suggest each and every element of claim 17. Additionally, Karpinski does not teach or suggest "[a] tracking method as defined in claim 16, further comprising the steps of allowing a user to generate an instant tracking request for a package, and for generating a tracking object for the user tracking request that is prioritized with respect to other tracking objects generated for the same carrier as that associated with the user's package." Nowhere in Karpinski is there any mention of **"allowing a user to generate an instant tracking request . . . generating a tracking object for the user tracking request that is prioritized with respect to other tracking objects generated for the same carrier as that**

(10005674.1)

13 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

associated with the user's package." (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 17, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 18

Regarding claim 18, Karpinski does not teach or suggest "[a] tracking method as defined in claim 15, further comprising the step of limiting the generation of tracking objects for a particular carrier so that tracking objects are generated no more frequently than a predetermined number per predetermined time interval." Nowhere in Karpinski is there any mention of **"limiting the generation of tracking objects for a particular carrier so that tracking objects are generated no more frequently than a predetermined number per predetermined time interval."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 18, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 19

Regarding claim 19, for the reasons given above with respect to claim 17, Karpinski does not teach or suggest each and every element of claim 19. Additionally, Karpinski does not teach or suggest "[a] tracking method as defined in claim 17, further comprising the step of limiting the generation of tracking objects so that the total number generated for a particular carrier over a predetermined time interval does not exceed a predetermined number, regarding the pacing of the generation of said tracking objects." Nowhere in Karpinski is there any mention of **"limiting the generation of tracking objects . . . does not exceed a predetermined number, regarding the pacing of the generation of said tracking objects."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 19, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

{0005574.1}

14 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from < 203 924 3919 > at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

Claim 20

Regarding claim 20, for the reasons given above with respect to claim 17, Karpinski does not teach or suggest each and every element of claim 20. Additionally, Karpinski does not teach or suggest "[a] A tracking method as defined in claim 17, further comprising the step of generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses." Nowhere in Karpinski is there any mention of **"the step of generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 20, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 21

Regarding claim 21, for the reasons given above with respect to claim 17, Karpinski does not teach or suggest each and every element of claim 21. Additionally, Karpinski does not teach or suggest "[a] tracking method as defined in claim 17, further comprising the step of automatically scheduling retrieving information required to generate a tracking request from the data storage device at a predetermined time." Nowhere in Karpinski is there any mention of **"automatically scheduling retrieving information required to generate a tracking request from the data storage device at a predetermined time."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 21, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 22

Regarding claim 22, Karpinski does not teach or suggest "[a] tracking method as defined in claim 15, wherein the shipping system server has an instant tracking component for allowing a user to generate a tracking request for a package, wherein the tracking coordinator has means for generating a tracking object for the user

{0005674.1}

15 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A

tracking request that is prioritized with respect to other tracking objects generated for the same carrier as that associated with the user's package." Nowhere in Karpinski is there any mention of "the shipping system server has an instant tracking component for allowing a user to generate a tracking request . . . the tracking coordinator has means for generating a tracking object for the user tracking request that is prioritized with respect to other tracking objects generated for the same carrier." (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 22, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 23

Regarding claim 23, Karpinski does not teach or suggest "[a] tracking method as defined in claim 15, further comprising the step of limiting the generation of tracking objects for a particular carrier so that tracking objects are generated no more frequently than a predetermined number per predetermined time interval." Nowhere in Karpinski is there any mention of "limiting the generation of tracking objects for a particular carrier so that tracking objects are generated no more frequently than a predetermined number per predetermined time interval." (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 23, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 24

Regarding claim 24, for the reasons given above with respect to claim 23, Karpinski does not teach or suggest each and every element of claim 24. Additionally, Karpinski does not teach or suggest "[a] tracking method as defined in claim 23, further comprising the step of limiting the generation of tracking objects so that the total number generated for a particular carrier over a predetermined time interval does not exceed a predetermined number, regarding the pacing of the

[[0005674.1]

16 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A

generation of said tracking objects." Nowhere in Karpinski is there any mention of **"limiting the generation of tracking objects . . . for a particular carrier over a . . . does not exceed a predetermined number, regarding the pacing of the generation of said tracking objects."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 24, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 25

Regarding claim 25, for the reasons given above with respect to claim 22, Karpinski does not teach or suggest each and every element of claim 25. Additionally, Karpinski does not teach or suggest "[a] tracking method as defined in claim 22, further comprising the step of generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses." Nowhere in Karpinski is there any mention of **"the step of generating tracking objects to a carrier tracking website using multiple Internet Protocol addresses."** (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 25, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

Claim 26

Regarding claim 26, for the reasons given above with respect to claim 23, Karpinski does not teach or suggest each and every element of claim 26. Additionally, Karpinski does not teach or suggest "[a] tracking method as defined in claim 23, further comprising the step of automatically scheduling retrieving information required to generate a tracking request from the data storage device at a predetermined time." Nowhere in Karpinski is there any mention of **"the step of automatically scheduling retrieving information required to generate a tracking**

{10005574.1}

17 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Received from <203 924 3919> at 8/2/02 3:15:34 PM [Eastern Daylight Time]

A

request from the data storage device at a predetermined time." (emphasis added). Since Karpinski does not teach or suggest each and every element of claim 26, Applicants respectfully request that the 35 USC 102 rejection be withdrawn.

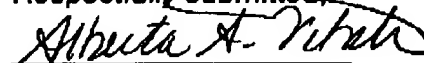
Articulation of Rejection of Claims 1-26

Applicants respectfully note that the citation to Karpinski for each of the claims does not clearly articulate the rejection as it pertains to each and every element of the claimed invention as is required by MPEP 706. It is difficult to determine which section of Karpinski pertains to one or more elements (if any) of Applicants' claims. Applicants respectfully request that any future rejection including any possible reiteration of the rejection of the Office Action of April 2, 2002 clearly articulate the rejection as it pertains to each and every element of the claimed invention including a citation to the specific section of the reference where the Examiner believes that one or more claim elements may be taught.

Conclusion

In view of the foregoing amendments and following remarks, it is respectfully submitted that the claims of this application are now in a condition for allowance and favorable action thereon is requested.

Respectfully submitted,



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(10005574.1)

18 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

Version with Markings to Show Changes Made**In the specification:**

On page 1, please replace the two paragraphs following the title "Cross Reference To Related Applications" with the following:

-- Reference is made to U.S. application, Serial No. 09/411092 (Attorney Docket No. E-907) , filed on even date herewith, entitled, A METHOD AND SYSTEM FOR ESTABLISHING PARCEL SHIPPPING VIA THE INTERNET; assigned to the assignee of this application,

Reference is made to U.S. application, Serial No. 09/411,125 (Docket No. E-909), filed on even date herewith, entitled, A METHOD AND SYSTEM FOR RESOLUTION OF CARRIER SPECIFIC DATA UTILIZING A GENERIC DATA MODEL, assigned to the assignee of this application. The subject matter of each of these applications is hereby incorporated by reference. --

At pages 2-3, please replace the first paragraph under the heading "Detailed Description:" with the following:

-- The tracking system and method of the present invention forms part of an overall shipping system and method as described in copending, U.S. application, Serial No. 09/411,092 filed October 4, 1999 entitled, A Method and System for Establishing Parcel Shipping Via the Internet (E-907); and U.S. application, Serial No. 09/411,125 filed October 4, 1999 entitled, A Method and system for Resolution of Carrier Specific Data Utilizing a Generic Data Model (E-909). As best seen in Figure 1, this overall shipping system 20 comprises a shipping system server 22 and one or more users (senders) 26 which interact with the server by means of the Internet 24, typically through connection through an Internet service provider 28. Although a

[0005574.1]

19 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A

plurality of users at a single location are shown which are interconnected by a local area network 30, the system also allows other users (e.g. users 26 and 26') to access the shipping system via the Internet. - -

In the claims:

No amendments have been made to the claims.

{0005574.1}

20 of 20

Amendment
Boucher et al.
Serial No. 09/411,524
Alberta Vitale, Reg. No. 41,520
203-924-3882

A